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TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket Number (Optional)

5352-05

In re Application of: MATTHEW R. HYRE ET AL
 Application No.: 10/005,567
 Filed: December 5, 2001
 For: GLASS CONTAINER FORMING MACHINE

The owner*, ~~Emhart Glass SA~~ 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/006,603, filed on 12/5/01, of any patent on the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

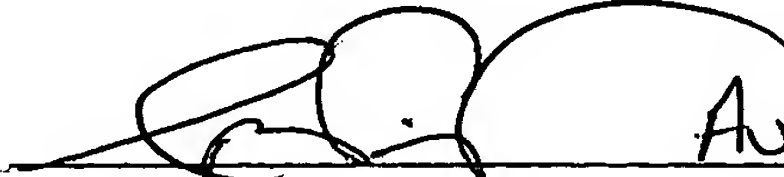
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2. ☒ The undersigned is an attorney or agent of record.


 Signature Date Aug 23, 2004

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Typed or printed name

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Telephone Number

- ☐ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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